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SUBJECT: KAZAKHSTAN'S CHAIRMANSHIP OF OSCE: A SLIPPERY SLOPE

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## SUMMARY

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¶1. Following an October 21-25 visit to Kazakhstan and Kyrgyzstan, some of the participating nine OSCE Chiefs of Missions shared notes and perspectives. Although the consensus was that we must take steps to ensure "normality" during the Kazakh chairmanship of the OSCE in 2010, the group suspected that Kazakhstan may actually have a well-developed plan to avoid issues they dislike, especially in the third dimension, and run the organization the way they want, focusing on their values and selective views on first and second dimension security issues. The USG will need to be very vigilant, consult closely with the EU—which appears to be developing fissures on OSCE policy, and ensure close collaboration and sharing of information between EUR and SCA, including their constituent posts.

## Impact of a Summit on OSCE Work

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¶2. If there is a formal OSCE Summit in 2010, the OSCE rules of procedure preclude any other major meetings during that year, including the HDIM, the Economic Forum, the Annual Security Review Conference, and the Ministerial Council. In other words, much of the major work of the OSCE will be set aside during a Summit year since Summits are usually held to approve major new OSCE directions and require three weeks of Prepcom meetings to review implementation of previous commitments. (We do not think this is the type of Summit that the GoK has in mind.)

¶3. In a lunch hosted by the Greek CiO October 27 for the head of ODIHR and the Representative on Freedom of the Media (who both spoke in that day's Corfu Process meeting), the Kazakh ambassador confirmed our suspicions. Following an informal discussion of ways to improve the HDIM, including the suggestion that the Kazakh CiO invite NGOs to participate in a follow-on Corfu Process meeting in Vienna next year to get their ideas and input on how to improve the HDIM, he stated bluntly: "Since there will be a Summit, there will be no HDIM next year." This is the first that Kazakhstan has openly stated this fact.

¶4. The following day, the Kazakh ambassador told CDA Fuller that he had meant this comment as a joke, but no one at the lunch, or subsequently, has read it that way. The German ambassador was so furious that he said he intended to openly work against the Summit idea. The French ambassador was alarmed and said he was going to immediately report this to Paris; by the NATO Caucus meeting the next day, however, he had clearly received instructions to support a Summit.

¶5. With guidance from EUR, USOSCE has never given any positive indication about the Summit idea, due to lack of substance. We now

have an additional reason why this would be a bad idea under the Kazakh chairmanship. We should, if anything, try to steer discussion towards a high-level conference, perhaps on Afghanistan or Central Asian security concerns. Of course, any Summit or high-level conference will likely invite participation by regional organizations, such as the CSTO and the CIS.

#### FOCUS ON TOLERANCE

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¶6. Kazakhstan's emphasis on this topic will enable them to showcase an area in which they have done well in the third dimension. Unfortunately, it will divert attention from the more critical areas of fundamental freedoms and basic human rights where they are doing so poorly. If the key CiO focus in the third dimension remains tolerance and there is no HDIM, there will be little space for NGO criticism of Kazakhstan, or any other country, on other issues. We need to be careful not to play into a possible trap on this issue.

#### Silencing the OSCE field Mission

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¶7. During the October 21-25 visit of nine OSCE Chiefs of Mission to Kazakhstan and Kyrgyzstan, the OSCE mission director in Astana advised that a gentleman's agreement was made between the SYG and the GOK that the mission will do no spot reporting during the Kazakh chairmanship. This was the price paid in July for Kazakhstan to keep the Mission open--in the face of an expressed threat by the GOK to close it. None of the nine COMs had been aware of this arrangement. The Finnish former CiO agreed that the participating States will have to speak out against such an arrangement next year.

¶8. On October 27, the Greek CiO confirmed this agreement. She said that Kazakh Secretary of State/FM Saudabayev had made it quite clear in June that he was not going to allow the OSCE mission to send negative reports while his ambassador Kairat Abdrakmanov was in the Chair. Later that day, the SYG confirmed that he had indeed

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made the gentleman's agreement, but at the direction of the Chair. He said it had been the only way to preserve the OSCE Mission. CDA Fuller protested that this was blackmail and that if the GoK closed the mission just prior to assuming the chair, the non-democratic message would have been quite clear and the reaction from the international community would have been very strong. His response was that this was a Greek CiO decision. (Comment. USOSCE senses that the new Greek government is taking a firmer hand on OSCE matters than the previous one and changing the instructions to the CiO in Vienna. Washington may want to consider having Embassy Athens talk with the new Greek PM/FM about the OSCE and the upcoming Kazakh chairmanship, among other issues.)

#### Georgia

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¶9. The Greek CiO advised CDA Fuller on October 27 that she had received unsettling news from her Georgian colleagues about the October 20 visit of a Kazakh high-level delegation to Tbilisi led by deputy FM Zhigalov. The Georgians understand the Kazakh message to be that they did not agree with any OSCE presence being "status neutral" (i.e., no impact on the recognition of South Ossetia/Abkhazia), but wanted to ensure "equality." She said the Georgians were quite worried. Kazakh OSCE ambassador Abdrakmanov denied to CDA Fuller on October 29 that there was any intention of Kazakhstan to change the OSCE approach. Embassy Tbilisi might want to check with the Georgians to get their version of the Kazakh mission and its possible implications.

¶10. On the positive side, the Kazakhs have apparently taken our suggestion that their intended Special Representative on conflicts Nurgaliev, who is currently the head of the Shanghai Cooperation Organization, attend the next round of Geneva talks. It will not be enough for him to understand the situation, but at least he will meet the players and make himself known.

#### Comment

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¶11. On the way back from the Kazakhstan/Kyrgyzstan trip, four of

the COMs met to share notes and agreed that the best thing we could do during the Kazakh chairmanship in 2010 would be to hold the line and prevent any further erosion of the OSCE principles and procedures. Unfortunately, the new information provided above suggests that the GoK may have developed a plan for ensuring that only the issues it wishes to address are dealt with during 2010. In the last 10 years, Kazakhstan has focused extensively on developing regional cooperation on security and economic issues--which match the first and second dimensions. Although it will continue to repeat its declaration of support for the OSCE *acquis* and the third dimension (including democracy, human rights, and the rule of law), it will skillfully steer the agenda to other issues, using the full force of the power that the United States and other western countries built into the OSCE CiO position.

¶12. Civil society representatives from the five Central Asian countries with whom the ambassadorial delegation met on the trip berated the international community for having allowed Kazakhstan to become chair and thereby erode the credibility of the OSCE. They all insisted that the situation of human rights has deteriorated in the region in at least the last year. It also appears that the Central Asian countries are beginning to copy one another's excesses. The lack of due process in the Zhovtis case in Kazakhstan sent a chill throughout the region. Kyrgyzstan's recent governmental reorganization which placed the MFA under the authority of the president goes further than the Kazakhstan Secretary of State's assumption of the FM minister position. Previous graduates from Uzbekistan from the masters program at the OSCE Academy in Bishkek were threatened with consequences if they ever sought a job in an international organization.

¶13. It is clear that we are going to be facing a far more difficult situation under the Kazakhstan chairmanship than simply holding the line. This will definitely require a concerted effort on the part of EUR and SCA and their respective posts to collaborate closely and share information to meet this challenge.

FULLER